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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/670,129

09/23/2003

Wei Yen

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EXAMINER

KIM, KEVIN Y

ART UNIT

PAPER NUMBER

3714

MAIL DATE

DELIVERY MODE

11/24/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/670,129	Applicant(s) YEN ET AL.	
	Examiner KEVIN Y. KIM	Art Unit 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 September 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,6-15,18,19 and 21-24 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4,6-15,18,19 and 21-24 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>6/4/2008</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

1. Applicant's amendment filed 9/02/2008 has been entered.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sawano et al (US 6,544,126).
4. Re claim 1, the rejection to the claim has been discussed in a previous office action, and the rejection is maintained.

Sawano also discloses an audio/video interface for transmitting a signal to an external display device (figure 2, connection between CPU 78 and TV monitor 50), wherein said signal comprises a video signal or a combination of a video signal and an audio signal (the examiner takes Official Notice that the video game machine connected to a television sends at least a video signal). The player input interface (figure 1, 18) and the audio/video interface are functionally integrated (figure 1, 14, the CPU controls all aspects of functionality in the device, and thus, the A/V interface and the player input interface are functionally integrated).

While the game console utilized in Sawano does not explicitly contain a network functionality, the GAME BOY portion of the invention indeed contains network

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connectivity. Specifically, the GAME BOY has a communication port to communicate with other game machines (e.g. other GAME BOYS), and thus, is capable of enabling a local user to play a multiplayer game with at least one remote user over a network (column 1, lines 37-49).

Thus, it would have been obvious to one skilled in the art to utilize the network interface of Sawano in order to play multiplayer games, as it frees players from needing to connect their GAME BOYS to the same console.

5. Re claims 2-15, the rejections have been discussed in a previous action and are maintained.

6. Claims 18-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sawano in view of Innovation.

7. Re claims 18-21, the rejections have been discussed in a previous action and are maintained. Furthermore, re claim 21, please see rejection to claim 1 for the amended limitations. The addition of a supplemental controller configured to receive a second input from a second user is an obvious design choice, as having two or more players entails requiring at least two controllers, the controller receiving inputs from each user. Finally, it is inherent that the signal is associated with the at least second and third input, as the nature of video game machines is such that a player's actions on the controller affects the on-screen action.

8. Re claim 23, Sawano discloses a coupler (figure 1, controller line 54 or 20 is connected to the player input interface 18 via a coupler, shown at the end of each line).

9. Re claim 24, please see the above rejections, *mutatis mutandis*.

Response to Arguments

10. Applicant's arguments filed 9/02/2008 have been fully considered but they are not persuasive. Regarding Sawano, applicants argue that Sawano does not teach a portable gaming machine comprising an audio/video output capable of transmitting a video signal to an external display. The examiner respectfully disagrees. First, the limitation of a portable game machine is not claimed, only that the game machine is capable of being handheld. Clearly, the console of Sawano may be held in the hand. Furthermore, the extent of portability is not made clear. The console of Sawano is certainly capable of being taken to a different area, thus making it portable. Finally, Sawano and Innovation has already been discussed regarding allowing a truly portable game machine (the GAME BOY) to be hooked up to a television.

The applicant then argues that Sawano does not teach a controller. The examiner points out that there are two different controllers in Sawano – the controller hooked up to the console (figure 1, 52), and the GAME BOY itself. The examiner also wishes to point out that a controller is not claimed. Merely, the interface for an input device is claimed. Thus, the console's controller ports (figure 1, 18) are sufficient.

Regarding claim 4, the term “interactive communication” has broad scope. Certainly, there must be some type of communication between the portable game machines. Due to the very nature of video gaming being an interactive experience, this communication must be interactive, as the player has some control over what type of

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communication is sent (for example, if a player presses A instead of B, or left instead of right). Finally, the communication being bi-directional is not claimed.

Regarding claim 21, it is inherent that the video signal is associated with a player input from the portable game machine and supplemental controller as taught by Sawano. As discussed above, a video game relies on the input from the player in order for actions to take place on screen, and thus, the video signal is associated with the input. Additionally, the requirement that each portable game machine (another non-claimed limitation) is capable of displaying their video signal to a single television instead of multiple is not claimed. The only claimed limitations are that there is a player input and audio/video interface which transmits signals to an external display device, which is taught by Sawano, contained by the game console (figure 1, 47). As discussed above, the addition of extra players adding more inputs is an obvious design choice, as one skilled in the art would know that more players equals more inputs needed to be taken into account, each input adding into the interaction with the video game, and thus, affecting the signal transmitted to the external display device.

Claim 24 recites material that has been addressed in earlier claims.

Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KEVIN Y. KIM whose telephone number is (571)270-3215. The examiner can normally be reached on Monday-Thursday, alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on 571-272-4690. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John M Hotaling II/
Supervisory Patent Examiner, Art Unit 3714

/Kevin Y Kim/
Examiner, Art Unit 3714